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October 20, 2006

Via E-Filing & Hand Delivery

The Honorable Kent A. Jordan
United States District Judge
United States District Court
For the District of Delaware
844 N. King Street
Wilmington, DE 19801

Re: *Robert K. Alber v. Traub, Bonacquist & Fox LLP, et al.*
(District Court Case No. 05- 0830-KAJ)
Morris, Nichols, Arsht & Tunnell v. Traub, Bonacquist & Fox LLP, et al.
(District Court Case No. 05- 0831-KAJ)

Dear Judge Jordan:

I write on behalf of appellee/cross-appellant Morris, Nichols, Arsht & Tunnell, LLP with respect to the enclosed proposed Second Amended Consolidated Scheduling Order (the "Proposed Order"), which reflects the Court's ruling at the status teleconference held on Monday, October 16, 2006, at 3:30 p.m. (prevailing eastern time). I circulated a copy of the Proposed Order to all parties to the above-referenced appeals by e-mail on October 16, 2006, accompanied by a request that they communicate their comments or objections, if any, by 3:00 p.m. (prevailing eastern time) on October 17, 2006. All parties to the appeals either have failed to respond to my e-mail or have affirmatively consented to the Proposed Order. Accordingly, the Proposed Order is hereby tendered for the Court's consideration.

Respectfully,



Gregory W. Werkheiser (No. 3553)
Morris, Nichols, Arsht & Tunnell LLP

GWG/maf

Honorable Kent A. Jordan
October 20, 2006
Page 2

cc: Frederick B. Rosner, Esq.
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